

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8820 of 2019

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Mantosh Kumar, Son of Vinod Pandey, Resident of Village- Dhaniwar, P.S.-
Amba, District- Aurangabad.

... .. Petitioner/s

Versus

1. Bharat Petroleum Corporation Limited through its Chairman through its Chairman, Bharat Bhawan, 4 and 6 Currimbhag Road, Ballard, Estate, P.B. No. 688, Mumbai- 400001.
2. The Chairman, Bharat Petroleum Corporation Limited, Bharat Bhawan, 4 and 6 Currimbhag Road, Ballard, Estate, P.B. No.688, Mumbai- 400001.
3. The Territory Manager Retail (BPCL), Patna, Village- Pakari Via Anishabad, Patna- 800002.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sudhanshu Shekhar, Advocate Mr. Ajay Kumar Singh, Advocate
For the Respondent/s	:	Mr. Sanjay Singh, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 11-10-2022

The petitioner has prayed for the following relief/s :-

- i) For quashing the letter dated 03.03.2019 from the officer of
Head of Territory Office, Territory Manager(Retail) Patna i.e.
respondent No. 3 whereby petitioner was informed that
Land Evaluation Committee visited the site offered by the
petitioner on 11th March, 2019 and found the same to be
not meeting the required norms and accordingly the



respondents have regretted to inform that candidature of petitioner has been found in eligible and may be considered for selection along with group 3 applicants as per the guidelines.

- ii) For further to quash the letter dated 15.03.2019 issued by respondent No. 3 in response to letter dated 09.03.2019 written by the petitioner whereby now the petitioner has been informed that during documents verification, scrutiny members found that the land provided by the petitioner is lease hold land and has been registered after the date of application and accordingly the petitioner has been held in eligible as per the guideline of the company.
- iii) For further to direct the respondent authorities to consider the objection dated 09.03.2019 filed by petitioner and held that the land offered by the petitioner comes within group II applicable to all categories for the simple reason that on the day of application petitioner had firm offer of the land.
- iv) For further to restrain the respondent authorities from taking fresh step for awarding R.O. Dealership at B/W Prathamik Swastha Kendra, Risiap and Sadsa on LHS from



Aurangabad towards Jharkhand on old NH-98, District-

Aurangabad under OPEN Category Advertised on 25 Nov.

2018.

- v) For any other relief or relief for which the petitioner is found entitled in the facts and circumstances of the case.

After the matter was heard for some time, learned counsel for the petitioner seeks permission to withdraw the present petition reserving liberty to take recourse to such other remedies as are otherwise permissible and admissible in accordance with law as also represent respondent No.2, namely, The Chairman, Bharat Petroleum Corporation Limited, Bharat Bhawan, 4 and 6 Currimbhag Road, Ballard, Estate, P.B. No. 688, Mumbai-400001, venting out the grievances, subject-matter of the present petition.

Prayer allowed. Liberty, as prayed for, is granted.

Without expressing any opinion on merits, leaving all questions of fact and law open, the present petition is disposed of as withdrawn with the liberty aforesaid.

We expect that the appropriate authority shall consider and decide the petitioner's application/request expeditiously and preferably within a period of three months from the date of its



presentation.

Needless to say that while considering such request, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

If aggrieved by the said order, the petitioner shall have liberty to approach this Court by way of separate petition(s), if so required and desired.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Ashwini/Sujit

AFR/NAFR	
CAV DATE	
Uploading Date	12.10.2022
Transmission Date	

